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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/681,535	04/24/2001	David G. Lee	CROSS1450	9732

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EXAMINER

HYUN, SOON D

ART UNIT	PAPER NUMBER
2663	10

DATE MAILED: 05/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/681,535

Applicant(s)

LEE, DAVID G.

Examiner

Soon-Dong Hyun

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9,32-46 and 50-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9,32-46 and 50-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

1. The indicated allowability of claims 9, 32-46, and 50-61 is withdrawn in view of the newly discovered reference(s) to Chehade et al (U.S. 2002/0128946). Rejections based on the newly cited reference(s) follow.

Claim Objections

2. Claim 42 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

All the claimed subject matters are included in the independent claim 9, therefore, the claim 42 fails to further limit the subject matter of a previous claim 9.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 9, 32-46, and 50-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chehade et al (U.S. 2002/0128946).

Regarding claims 9, 42, and 44, Chehade et al (Chehade) discloses a system for analyzing the transfer of data across communication channels utilizing different protocols comprising:

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a data processor (processor manager 320 in FIG. 3); and
a plurality of communication channel interfaces coupled to the data processor (an interface coupled to a trading partner 300 and an interface coupled to a process service module 316 in FIG. 3), wherein the data processor is to receive data formatted according to a first protocol via a first one of the interfaces (step 600 in FIG. 6), to identify the data formatted according to the first protocol (steps 605 and 615), to receive data formatted according to a second protocol via a second one of the interfaces (steps 620 and 625, col. 7, Para. 0066), to identify the data formatted according to the second protocol (it is inherent for steps 625-655, because the steps are preformed after translation, col. 7, Para. 0066).

However, Chehade doe not explicitly teach that the processor manager performs a step of verifying the data formatted according to the second protocol corresponds to the data formatted according to the first protocol by comparing a data payload of the data formatted according to the second protocol and a data payload of the data formatted according to the first protocol to determine whether the data payload of the data formatted according to the second protocol is identical to the data payload of the data formatted according to the first protocol. It will be apparent to those of skill in the art to check the translated business process data whether the translation is correctly performed by comparing payloads of both protocols after step of the translation, because a receiving trading partner (308) could transect the business process data as requested by a sending trading participant and a plurality of processing (steps 625-670) should be done by the processor manager after the translation.

Therefore, it would have been obvious to one having ordinary skill in the art to verify the payloads being identical as recited in the claim.

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Regarding claims 32, 51, 52, 54, and 55, refer to the discussion for the claim 9.

Chehade teaches that a process service module 320 in FIG. 3 is equivalent to the first device.

Regarding claims 33-35, and 57-61, Chehade teaches that a receiving trading partner 308 in FIG. 3 is equivalent to the second device. However, Chehade does not teach that the receiving trading partner converts the business process data formatted according to the second protocol to a third protocol. It will be apparent to those of skill in the art that the receiving trading partner could be connected to a sub-network such that the receiving trading partner is coupled to a sub-trading partner (a third device) to receive the business data as shown in FIG. 3.

Therefore, it would have been obvious to one having ordinary skill in the art to convert the second protocol to a third protocol when the sub-trading partner is using the third protocol.

Regarding claims 36 and 43, Chehade does not explicitly teach that the processor manager comprises a display or monitor to present to a user (operator) an indication of whether the data formatted according to the second protocol corresponds to the data formatted according to the first protocol.

It would have been obvious to one having ordinary skill in the art to provide a monitor for the operator to check the conformity.

Regarding claims 37 and 38, Chehade does not explicitly teach that the data processor comprises a personal computer (PC), a PCI bus and plurality of interface cards. It would have been obvious to one having ordinary skill in the art to provide a PC with a processor with corresponding software to perform the steps for the processor manager. It is inherently required

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that the PC used as the processor manager has a PCI bus and interface cards as recited in the claims.

Regarding claim 39, it would have been obvious to one having ordinary skill in the art to receive data formatted according to a third protocol from a trading partner (302) when the trading partner uses a protocol different from those of the trading partners 300 and 308.

Regarding claim 40, the data processor is to emulate a response to the data formatted according to the second protocol (steps 625-670 in FIG. 6).

Regarding claim 41, Chehade does not teach that the response comprises an indication of an error. It would have been obvious to one having ordinary skill in the art to indicate an error when the translation has an error.

Regarding claim 45, Chehade further discloses a data storage unit to store one or more of the analyzed data packets (col. 8, Para. 0073 and 0074).

Regarding claim 46, Chehade further discloses that the data processor performs one or more analyses on the stored data packets (steps 625-670 in FIG. 6).

Regarding claims 50, 53, and 56, refer to the discussion for the claim 39.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Soon-Dong Hyun whose telephone number is (703) 305-4550.

The examiner can normally be reached on Monday-Friday from 8:30 A.M. to 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen, can be reached on (703) 308-5340.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

6. Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

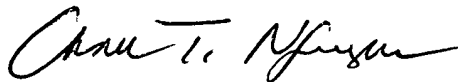
Alexandria, VA 22313-1450

Or faxed to: 703-872-9306 for formal communications intended for entry with a label of "OFFICIAL" and for informal or draft communications with a label of "PROPOSED" or "DRAFT" (attn: Art Unit 2663, Soon-Dong Hyun).



S. Hyun

05/24/2004



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